



SUSAN COMBS, COMMISSIONER

TEXAS DEPARTMENT OF AGRICULTURE:

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FACSIMILE TRANSMISSION

TO: John Marshall
COMPANY: Office of Information & Regulatory Affairs
DEPARTMENT: _____
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FROM: Susan Combs

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COMMENTS: _____

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May 28, 2002

Mr. John Morrall
Office of Information and Regulatory Affairs
Office of Management and Budget
NEOB, Room 10235
725 17th Street, N.W.
Washington, D.C. 20503

Dear Mr. Morrall:

In response to the request for comments on the Environmental Protection Agency's (EPA) Radionuclide Rule, the **Texas** Department of Agriculture requests that you consider our comments in the attached letter to EPA Administrator Whitman.

Thank you for considering the impact of these regulations on **Texas** agricultural communities.

Sincerely,

Susan Combs
Commissioner

SC:ck

Enclosure

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May 13, 2002

The Honorable Christine Todd Whitman
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Governor Whitman:

Rural communities in Texas are faced with many challenges as they strive to prosper in difficult economic times. I recently heard from representatives of the Hickory Underground Water Conservation District (UWCD) No. 1 about concerns with new Environmental Protection Agency (EPA) drinking water regulations. Because of naturally occurring levels of radionuclides in this area's groundwater, the new regulations may, quite simply, make drinking water too expensive for the residents of San Saba, Menard, Concho, Mason and McCullough counties.

The Hickory UWCD No. 1 reports that the Texas Department of Health has encountered no cases of bone cancer (the most significant health risk from radionuclides) in the region where residents obtain their drinking water from the Hickory Aquifer. Before these regulations are imposed on our rural citizens, we must be certain that the regulations are indeed scientifically justified and provide a real public benefit. I ask that in enforcing these new regulations you take into account the lingering scientific uncertainty and the economic impact upon the residents of this largely rural agricultural area. I am also aware that these regulations are the subject of pending litigation brought by community water suppliers located in several states, providing an additional reason for staying both the enforcement of the rules and the requirement that state programs proceed with rulemakings to implement the contested federal program. Regulations that essentially force long-time residents to move from their homes will devastate numerous rural communities across the entire country and will not achieve the goals set by the U.S. Congress.

Thank you for considering the impact of these regulations on Texas agricultural communities.

Sincerely,

Susan Combs
Commissioner

SC:ck

cc: The Honorable Kay Bailey Hutchison
The Honorable Phil Gramm
Mr. Robert J. Huston, Chairman, **TNRCC**
Mr. Stanley ti. Reinhard, General Manager, Hickory UWCD No. 1